

REMARKS

Claims 28-30 are pending in this application.

Applicants have amended claims 28-30. The changes to the claims made herein do not introduce any new matter.

Rejection Under 35 U.S.C. § 103

Applicants respectfully request reconsideration of the rejection of claims 28-30 under 35 U.S.C. § 103(a) as being unpatentable over *Meade II et al.* (“*Meade*”) (US 2003/0137685 A1) in view of *Kubokura* (JP 2002-082782). As will be explained in more detail below, the combination of the *Meade* and *Kubokura* references does not raise a *prima facie* case of obviousness against the subject matter defined in claims 28-30, as amended herein.

The *Kubokura* reference

The *Kubokura* reference determines printability with “the number of sheets” as the unit of count (see Paragraphs [0027] and [0028]). On the other hand, the claimed subject matter determines printability with an “amount of money information” as the unit of count. Thus, in this regard, the claimed configuration is distinguishable from *Kubokura*. As such, Applicants respectfully traverse the Examiner’s characterization of the *Kubokura* reference relative to the claimed subject matter (see, for example, page 3 of the Final Office Action).

Claim 28

In support of the obviousness rejection, the Examiner asserts that memory 26 of *Meade* corresponds to the “device” recited in line 4 of claim 28 (see the Final Office Action at page 4, line 8). As specified in present claim 28, the usage control apparatus is separated from the printer and does not form part of the printer. As such, the Examiner’s application of *Meade* is not appropriate relative to present claim 28.

Further, the Examiner asserts that the claimed “receiving module” corresponds to *Meade*’s processing circuitry 38, and that the claimed “usage control apparatus” corresponds

to *Meade's* memory 26 of the image forming device 12 (see the Final Office Action at page 4, lines 16-19).

The recognition regarding the receiving module is inconsistent with the Examiner's recognition of the usage control apparatus as corresponding to *Meade's* processing circuitry 38 (see the Final Office Action at page 4, line 7).

The recognition regarding the usage control apparatus is inconsistent with the Examiner's recognition that such apparatus corresponds to *Meade's* processing circuitry 38 (see the Final Office Action at page 4, line 7) and the Examiner's recognition that the claimed "holding module" corresponds to *Meade's* memory 26 (see the Final Office Action at page 4, line 6).

Still further, the Examiner's recognition of the claimed "processing module" (now printing module) as corresponding to *Meade's* processing circuitry 38 is inappropriate. In particular, this recognition is inconsistent with the recognition that the usage control apparatus corresponds to *Meade's* processing circuitry 38 (see the Final Office Action at page 4, line 7).

In light of the foregoing inconsistencies in the Examiner's characterization of the *Meade* reference relative to the claimed subject matter, and the above-discussed differences between the *Kubokura* reference and the claimed subject matter, the combination of the *Meade* and *Kubokura* references does not raise a *prima facie* case of obviousness against the subject matter defined in present claim 28.

Claim 29

Claim 29 depends from claim 28. In connection with claim 28, the Examiner recognizes the usage control apparatus as either *Meade's* processing circuitry 38 (see the Final Office Action at page 4, line 7) or *Meade's* memory 26 (see the Final Office Action at

page 4, lines 16-19). Both the processing circuitry 38 and the memory 26 are constituent features of *Meade's* image forming device (printer) 12.

The Examiner also recognizes the claimed "holding module" as corresponding to the device data file 40 in the memory 26 (see the Final Office Action at page 6, lines 18-19). The device data file 40 is stored in the memory 26, which, as noted above, is one of the constituent features of *Meade's* image forming device (printer) 12.

According to the Examiner's recognitions, the process of transmitting the money information in the holding module to the usage control apparatus, which is carried out by a transmitting module in present claim 29, is performed in *Meade's* image forming device (printer) 12. Thus, the Examiner's recognition of the LAN environment 14 as corresponding to the claimed transmitting module (see the Final Office Action at page 6, line 17) is inconsistent with the respective recognitions set forth above regarding the usage control apparatus and the holding module.

Further, in Paragraph [0024], the *Meade* reference states the "hard-copy cost recovery system 10 is a tracking apparatus for monitoring usage of consumables that is implemented on an image forming device 12 within a local area network (LAN) environment 14." However, the *Meade* reference fails to disclose or suggest a transmitting module which transmits to the usage control apparatus money information that was deducted money information in an amount required for printing of the process data, as specified in present claim 29.

Thus, for at least the foregoing additional reasons, the combination of the *Meade* and *Kubokura* references does not raise a *prima facie* case of obviousness against the subject matter defined in present claim 29.

Claim 30

Claim 30 depends from claim 28. The “usage information” shown by *Meade* includes cost information for the total page area 44 and toner coverage 48 (see Paragraph [0036] of the *Meade* reference). The total page area 44 and the toner coverage 48 are computed by the processing circuitry 38 of the image forming device (printer) 12 as the cost associated with generating a print job, or by counting the pixel coverage used to generate the print job, when the print job is delivered to the image forming device (printer) 12 (see Paragraph [0039] of the *Meade* reference).

As such, *Meade*’s “usage information” represents the usage cost of individual print jobs (see Paragraph [0028] of the *Meade* reference), and therefore in *Meade* it is not money information (from which money information in an amount required for printing of the process data is deducted) that is updated, as specified in present claim 30.

Thus, for at least the foregoing additional reason, the combination of the *Meade* and *Kubokura* references does not raise a *prima facie* case of obviousness against the subject matter defined in present claim 30.

Claims 28-30

Accordingly, for at least the foregoing reasons, claims 28-30, as amended herein, are patentable under 35 U.S.C. § 103(a) over the combination of *Meade* in view of *Kubokura*.

Conclusion

In view of the foregoing, Applicants respectfully request reconsideration and reexamination of claims 28-30, as amended herein, and submit that these claims are in condition for allowance. Accordingly, a notice of allowance is respectfully requested. In the event a telephone conversation would expedite the prosecution of this application, the Examiner may reach the undersigned at (408) 749-6902. If any additional fees are due in

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connection with the filing of this paper, then the Commissioner is authorized to charge such fees to Deposit Account No. 50-0805 (Order No. MIPFP080).

Respectfully submitted,
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